

§ 3640. Administrative matters**(a) Compensation of Commissioners and Alternate Commissioners**

Commissioners and Alternate Commissioners who are not State or Federal employees shall receive compensation at the daily rate of GS-18 of the General Schedule when engaged in the actual performance of duties for the United States Section or for the Commission.

(b) Compensation of Panel Members and Alternate Panel Members

Panel Members and Alternate Panel Members who are not State or Federal employees shall receive compensation at the daily rate of GS-16 of the General Schedule when engaged in the actual performance of duties for the United States Section or for the Commission.

(c) Travel; other expenses

Travel and other necessary expenses shall be paid for all United States Commissioners, Alternate Commissioners, Panel Members, Alternate Panel Members, members of the Joint Technical Committee, and members of the Advisory Committee when engaged in the actual performance of duties for the United States Section or for the Commission.

(d) Individuals not considered Federal employees

Except for officials of the United States Government, such individuals shall not be considered to be Federal employees while engaged in the actual performance of duties for the United States Section or for the Commission, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5 and chapter 71¹ of title 28.

(Pub. L. 99-5, § 11, Mar. 15, 1985, 99 Stat. 14.)

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 3641. Authorization of appropriations

There are authorized to be appropriated from time to time such sums as may be necessary for carrying out the purposes and provisions of the Treaty and this chapter including—

(a) necessary travel expenses of the Commissioners, Panel members, alternate Commissioners, alternate Panel members, United States members of joint technical committees established under article IV of the Treaty, and advisory committee members in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5;

(b) the United States share of the joint expenses of the Commission: *Provided*, That the United States Commissioners and Panel members and alternates shall not, with respect to

commitments concerning the United States share of the joint expenses of the Organization, be subject to section 262b of title 22 insofar as it limits the authority of United States representatives to international organizations with respect to such commitments;

(c) amounts for research, enhancement, and other activities necessary to carry out the purposes of the Treaty and this chapter; and

(d) such amounts as may be due to settle accounts upon termination of the International Pacific Salmon Fisheries Commission.

(Pub. L. 99-5, § 12, Mar. 15, 1985, 99 Stat. 14.)

§ 3642. Disposition of property of International Pacific Salmon Fisheries Commission

The Secretary of State shall dispose of any United States property held by the International Pacific Salmon Fisheries Commission on the date of its termination in a manner which would further the purposes of this chapter.

(Pub. L. 99-5, § 13 [part], Mar. 15, 1985, 99 Stat. 15.)

CODIFICATION

Section consists of a part of section 13 of Pub. L. 99-5. The remainder of section 13 of Pub. L. 99-5 provided for the repeal, effective Dec. 31, 1985, of the Sockeye Salmon or Pink Salmon Fishing Act of 1947, act July 29, 1947, ch. 345, 61 Stat. 511, as amended, which was classified to chapter 10A (§ 776 et seq.) of this title.

§ 3643. Savings provision

This chapter shall not be interpreted or applied so as to affect or modify rights established in existing Indian treaties and other existing Federal laws, including the Order entered in Confederated Tribes and Bands of the Yakima Indian Nation v. Baldrige, Civil No. 80-342 (WD WASH.). This section shall not be interpreted or applied so as to affect or modify any rights or obligations of the United States pursuant to the Treaty.

(Pub. L. 99-5, § 14, Mar. 15, 1985, 99 Stat. 15.)

§ 3644. Restriction on spending authority

New spending authority or authority to enter into contracts provided in this chapter shall be effective only to such extent, or in such amounts, as are provided in advance in appropriation Acts.

(Pub. L. 99-5, § 15, Mar. 15, 1985, 99 Stat. 15.)

CHAPTER 57—NATIONAL FISH AND WILDLIFE FOUNDATION

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| Sec. | |
| 3701. | Establishment and purposes of Foundation. <ul style="list-style-type: none"> (a) Establishment. (b) Purposes. |
| 3702. | Board of Directors of Foundation. <ul style="list-style-type: none"> (a) Establishment and membership. (b) Appointment and terms. (c) Chairman. (d) Quorum. (e) Meetings. (f) Reimbursement of expenses. (g) General powers. |
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¹ So in original. Probably should be chapter "171".

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- (b) Seal.
- (c) Powers.
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- (e) Acquisition, management, and disposal of real property.
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- 3709. Authorization of appropriations.
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§ 3701. Establishment and purposes of Foundation

(a) Establishment

There is established the National Fish and Wildlife Foundation (hereinafter in this chapter referred to as the “Foundation”). The Foundation is a charitable and nonprofit corporation and is not an agency or establishment of the United States.

(b) Purposes

The purposes of the Foundation are—

(1) to encourage, accept, and administer private gifts of property for the benefit of, or in connection with, the activities and services of the United States Fish and Wildlife Service and the National Oceanic and Atmospheric Administration;

(2) to undertake and conduct such other activities as will further the conservation and management of the fish, wildlife, and plant resources of the United States, and its territories and possessions, for present and future generations of Americans; and

(3) to participate with, and otherwise assist, foreign governments, entities, and individuals in undertaking and conducting activities that will further the conservation and management of the fish, wildlife, and plant resources of other countries.

(Pub. L. 98-244, §2, Mar. 26, 1984, 98 Stat. 107; Pub. L. 100-240, §1(a), Jan. 11, 1988, 101 Stat. 1785; Pub. L. 103-232, title I, §102, Apr. 11, 1994, 108 Stat. 336.)

AMENDMENTS

1994—Subsec. (b)(1). Pub. L. 103-232 inserted before semicolon at end “and the National Oceanic and Atmospheric Administration”.

1988—Subsec. (b)(3). Pub. L. 100-240 added par. (3).

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-277, div. A, §101(b) [title IX, §901], Oct. 21, 1998, 112 Stat. 2681-50, 2681-119, provided that: “This title [amending section 3703 of this title and enacting provisions set out as a note under section 3703 of this

title] may be cited as the ‘National Whale Conservation Fund Act of 1998’.”

SHORT TITLE OF 1994 AMENDMENT

Section 101 of title I of Pub. L. 103-232 provided that: “This title [amending this section and sections 3702 and 3709 of this title and enacting provisions listed in a table of National Environmental Centers set out under section 668dd of this title and provisions set out as notes under section 3702 of this title] may be cited as the ‘National Fish and Wildlife Foundation Improvement Act of 1994’.”

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-593, title I, §110(a), Nov. 16, 1990, 104 Stat. 2959, provided that: “This section [amending sections 3702 and 3709 of this title] may be cited as the ‘National Fish and Wildlife Foundation Establishment Act Amendments of 1990’.”

SHORT TITLE

Section 1 of Pub. L. 98-244 provided that: “This Act [enacting this chapter] may be cited as the ‘National Fish and Wildlife Foundation Establishment Act’.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3703, 3706, 3743 of this title.

§ 3702. Board of Directors of Foundation

(a) Establishment and membership

The Foundation shall have a governing Board of Directors (hereinafter referred to in this chapter as the “Board”), which shall consist of 15 Directors, each of whom shall be a United States citizen and—

(1) six of whom must be knowledgeable or experienced in fish and wildlife conservation; and

(2) 4 of whom must be educated and experienced in the principles of fish and wildlife management.

The membership of the Board, to the extent practicable, shall represent diverse points of view relating to fish and wildlife conservation. The Director of the United States Fish and Wildlife Service shall be an ex officio nonvoting member of the Board. Appointment to the Board shall not constitute employment by, or the holding of an office of, the United States for the purposes of any Federal law.

(b) Appointment and terms

By December 31, 1984, the Secretary of the Interior (hereinafter referred to in this chapter as the “Secretary”) shall appoint the Directors of the Board. The Directors shall be appointed for terms of six years; except that the Secretary, in making the initial appointments to the Board, shall appoint three Directors to a term of two years, three Directors to a term of four years, and three Directors to a term of six years. A vacancy on the Board shall be filled within sixty days of said vacancy in the manner in which the original appointment was made. No individual may serve more than two consecutive terms as a Director. The Secretary of the Interior shall consult with the Under Secretary of Commerce for Oceans and Atmosphere before appointing any Director of the Board.

(c) Chairman

The Chairman shall be elected by the Board from its members for a two-year term.